

H.R. 6735 would push DHS in the right direction by requiring it to put in place policies to ensure that civic-minded hackers can research and report bugs found on certain information systems without breaking the law.

Before I close, I would like to express my disappointment that S. 1281, the Hack DHS Act, is not being considered on the floor today.

S. 1281, which would create a bug bounty pilot program at DHS, was approved by voice vote in the committee and is consistent with the objectives of H.R. 6735, which I support.

□ 1415

It is unclear why S. 1281 is not being considered today. I urge House leadership to bring S. 1281 to the floor later this fall.

Mr. Speaker, I urge my colleagues to support H.R. 6735. In the current security environment, vulnerability disclosure policies have emerged as a critical component of cybersecurity without any organization. DHS is the lead Federal Department charged with securing government civilian networks.

DHS should be leading by example, not playing catchup. Today, the Department of Defense and the GSA have vulnerability disclosure programs in operation. It is time for DHS to join them.

Mr. Speaker, I urge my colleagues to support H.R. 6735, and I yield back the balance of my time.

Mr. McCAUL. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I once again urge my colleagues to support this bill. It is at a time when there is a lot of partisanship going on. I think it is healthy to see a truly bipartisan bill on such an important issue regarding our national security.

I think, as the gentleman from Louisiana pointed out, this is modeled after a program that the Department of Defense successfully deployed, and I am proud of the record my committee has had on passing. I think, close to 110 bills now, and almost all of them are bipartisan.

Mr. Speaker, I urge my Senate colleagues to at least take up some of them and do the same, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. McCAUL) that the House suspend the rules and pass the bill, H.R. 6735, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. McCAUL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

### BORDER TUNNEL TASK FORCE ACT

Mr. McCAUL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6740) to amend the Homeland Security Act of 2002 to establish Border Tunnel Task Forces, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6740

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Border Tunnel Task Force Act".*

#### SEC. 2. BORDER TUNNEL DETECTION.

*(a) IN GENERAL.—Subtitle B of title IV of the Homeland Security Act of 2002 (6 U.S.C. 211 et seq.) is amended by adding at the end the following new section:*

##### "SEC. 420. BORDER TUNNEL TASK FORCES.

*"(a) ESTABLISHMENT.—The Secretary shall establish Border Tunnel Task Forces in jurisdictions in which such Border Tunnel Task Forces can contribute to border security missions after evaluating—*

*"(1) whether the areas in which such Border Tunnel Task Forces would be established are significantly impacted by cross-border threats; and*

*"(2) the availability of Federal, State, local, and Tribal law enforcement resources to participate in such Border Tunnel Task Forces.*

*"(b) PURPOSE.—The purpose of the Border Tunnel Task Forces under subsection (a) is to enhance and integrate border security efforts by addressing and reducing cross-border tunnel related threats and violence by—*

*"(1) facilitating collaboration among Federal, State, local, and Tribal law enforcement agencies to execute coordinated activities in furtherance of border security and homeland security; and*

*"(2) enhancing information-sharing, including the dissemination of homeland security information, among such agencies.*

*"(c) COMPOSITION AND ESTABLISHMENT OF BORDER TUNNEL TASK FORCES.—Border Tunnel Task Forces may be comprised of the following:*

*"(1) Personnel from U.S. Customs and Border Protection, including the U.S. Border Patrol.*

*"(2) Personnel from U.S. Immigration and Customs Enforcement, including Homeland Security Investigations.*

*"(3) Personnel from other Department components and offices, as appropriate.*

*"(4) Personnel from other Federal, State, local, and Tribal law enforcement agencies, as appropriate.*

*"(5) Other appropriate personnel at the discretion of the Secretary.*

*"(d) DUPLICATION OF EFFORTS.—In determining whether to establish a new Border Tunnel Task Force or to expand an existing Border Tunnel Task Force in a given jurisdiction, the Secretary shall ensure that the Border Tunnel Task Force under consideration does not unnecessarily duplicate the efforts of other existing interagency task forces or centers within such jurisdiction.*

*"(e) COORDINATION AMONG COMPONENTS.—The Secretary shall—*

*"(1) establish targets and performance measures for the Border Tunnel Task Forces that include consideration of whether border barriers impact cross-border tunnel threats;*

*"(2) direct leadership of each Border Tunnel Task Force to monitor progress on such targets*

*and performance measures for each such task force; and*

*"(3) periodically report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate regarding progress on such targets and performance measures."*

*(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 419 the following new item:*

*"Sec. 420. Border Tunnel Task Forces."*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. McCAUL) and the gentleman from Louisiana (Mr. RICHMOND) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. McCAUL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include any extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. McCAUL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of the Border Tunnel Task Force Act.

Mr. Speaker, some of the most dangerous threats to our homeland are coming across our southern border. Drug smugglers are bringing dangerous narcotics and fueling America's epidemic of opioids. Human traffickers and transnational gangs like MS-13 are infecting our neighborhoods and endangering our kids. Even potential known or suspected terrorists are trying to make their way into America by exploiting our weak borders.

All of these groups are a serious national security concern. They are also very determined and creative, and one of the ways they avoid detection is by digging cross-border tunnels.

In August, a tunnel the length of two football fields was discovered below a closed fast-food restaurant in Arizona. This pathway was used to smuggle cocaine, heroin, fentanyl, and methamphetamines.

In 2016, 7 tons of marijuana and 1 ton of cocaine were found in a tunnel not far from San Diego. In my home State of Texas, a tunnel was discovered under the Rio Grande in El Paso back in 2010, also for smuggling drugs.

Unfortunately, the problem is not new. Authorities have discovered nearly 200 cross-border tunnels since 1990. We must do more to shut these tunnels down. This legislation will establish Border Tunnel Task Forces to enhance the ability of DHS to detect these tunnels and identify criminal networks.

These teams will be made up of ICE, CBP, and other Department personnel. They will be assisted by State, local, and Tribal law enforcement agencies. These teams will deploy to locations along the border where the greatest

risks to our national security exist. In working together, they will be able to better secure our border and protect Americans from a growing list of threats.

This bill will minimize a unique, but serious, threat to our homeland. I want to thank my very dear friend and colleague, Congressman SESSIONS, for all of his hard work on this issue, and I urge my colleagues to support this bipartisan legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. RICHMOND. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 6740, the Border Tunnel Task Force Act. H.R. 6740 formally authorizes the Department of Homeland Security's Border Tunnel Task Force.

The first illicit cross-border tunnel under the United States-Mexico border was discovered in 1990. Since then, law enforcement has uncovered more than 200 tunnels, primarily in Arizona and California.

Cross-border tunnels are exploited by smugglers to move all types of contraband, currency, and people into the United States without detection. Unearthed tunnels range from crudely formed, shallow tunnels, to elaborately constructed passages that include lighting or railways and emerge on the U.S. side in facilities large enough to accommodate deliveries by tractor-trailers.

Incredibly, some tunnels are interconnected with municipal stormwater and sewer systems on both sides of the border. In one case, a 2016 law enforcement operation uncovered a tunnel half a mile inland with a ton of cocaine and 7 tons of marijuana in it.

Just last month, about 200 yards from the border, there was a traffic stop arrest of an individual with more than 300 pounds of illegal drugs, which resulted in the execution of a search warrant on his property and the discovery of a tunnel that went from a long-abandoned Kentucky Fried Chicken that was on his property directly to a house in Mexico. Inside that 600-foot-long tunnel, Federal agents discovered \$1 million worth of hard drugs.

These discoveries did not just happen. They were the result of collaborative, binational law enforcement operations under the auspices of the Border Tunnel Task Forces that the Department of Homeland Security maintains. H.R. 6740 seeks to authorize the task forces to ensure that this valuable work continues.

I ask my House colleagues to join me in supporting DHS' efforts to head off smuggling through illicit cross-border tunnels and vote in favor of H.R. 6740.

Mr. Speaker, I reserve the balance of my time.

Mr. McCAUL. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SESSIONS), the distinguished chairman of the Rules Committee and the author of this bill.

Mr. SESSIONS. Mr. Speaker, I appreciate and thank the young chairman of the Homeland Security Committee, the gentleman from Austin, Texas, who has had the responsibility and the authority vested in him as chairman of the committee to make sure that we look at, approach, and correct the problems that we have at our borders. I want to thank the distinguished gentleman for his years of service not only to the Department of Justice, but to the American people and the rule of law.

Mr. Speaker, every day we in Texas and around the United States deal with crime, drugs, and gangs that are streaming into the United States from our southern border. Both Chairman McCAUL and I recognize that the challenge that we have ahead of us here in Washington is not only to support and defend our Constitution, but it is actually to defend people who live back home, wherever they might be in the United States.

No part of the United States is safe if our southern border is not effectively taken care of. That is why we are here today with a bill that addresses this issue even further. That issue is that we must secure our borders to halt the flow of drugs that come into our country.

We recognize that one of the most vulnerable pieces that has been talked about today and that is known by law enforcement is that of the use of tunnels, which evade not only the sight of law enforcement, but take place under the secrecy of those who would intend to bring illegal drugs, narcotics, people, and other unspecified but dangerous items into this country.

These tunnels are difficult to detect without sophisticated equipment or intelligence that advises law enforcement not only where they are, but how they might discover them. Said another way, cartels and criminals are one step ahead of the good guys, our law enforcement.

Just last month, United States Homeland Security agents discovered a 600-foot-long drug tunnel running between a private home in Mexico and an abandoned food restaurant in Arizona. Near the tunnel, they discovered—as has been talked about here today and it is worth repeating—261 pounds of methamphetamines, 14 pounds of cocaine, 45 pounds of heroin, and almost 7 pounds of fentanyl. That is enough to have supplied over 3 million people with dosage units that could cause them not only harm, but also take their life.

Working with Chairman MICHAEL McCAUL, our young chairman from Austin, Texas, I am pleased to inform you that earlier this month we introduced H.R. 6740, the Border Tunnel Task Force Act. This bill will enhance not only law enforcement—Federal, State, and local law enforcement—but also Tribal law enforcement with the ability that they need to make sure that these cross-border-related threats are taken care of properly.

First of all, the task force will look at the issue and understand how these cartels and drug gangs make these tunnels, where they make them, and when they make them.

Secondly, the task force will ensure that they are looking out and working together.

Specifically, this legislation requires the Department of Homeland Security to establish a Border Tunnel Task Force, which would be comprised of personnel from U.S. Customs and Border Protection, known as CBP; U.S. Border Patrol; U.S. Immigration and Customs Enforcement, known as ICE; and Homeland Security investigators. These groups would work together on border issues where enhanced information could be shared and law enforcement action would contribute to our border security missions.

It is my hope that the establishment of these law enforcement groups will help facilitate not only teamwork among Federal, State, local, and Tribal officials, but they will also help execute coordinated activities to crack down on gangs that continue to seek ways to do their illegal trade and business along our border which places Americans at risk.

In closing, I would like to once again thank Chairman McCAUL and his Homeland Security Committee, its members on a bipartisan basis, and their staff for recognizing that this is a true threat against the United States of America, our citizens, and perhaps our most vulnerable, our children.

Their work in protecting our country is paramount, and so I urge my colleagues to support H.R. 6740, the Border Tunnel Task Force Act, a bill that will encourage, help, and strengthen law enforcement in this activity. It will protect the United States of America and protect American families from drug cartels and drug trafficking.

Mr. Speaker, I want to thank the young chairman for his hard work and also the gentleman from Louisiana, who recognized, on a bipartisan basis, that we must protect our homeland.

□ 1430

Mr. Speaker, DHS's Border Tunnel Task Forces have been effective at identifying and closing tunnels through which smugglers illicitly move drugs, launder money, and other contraband into the United States. As such, I support these task forces, but would note that there are two 20-foot-high fences—or "wall" as the President likes to call them—near the U.S.-Mexico border in San Luis, Arizona, the town where a tunnel was discovered under an abandoned restaurant last month.

Logic tells you that when smugglers cannot easily move goods or people over or through physical barriers, they will tunnel underneath.

Importantly, the measure under consideration today includes language offered by Representative VELA, the ranking member of the Border and

Maritime Security Subcommittee, to require DHS to determine whether border barriers impact the proliferation of cross-border tunnels.

With DHS having dedicated nearly \$9 million over the past decade to remediating and countering cross-border tunnel threats, DHS needs to know whether its wall agenda is driving more illicit cross-border tunnels.

Mr. Speaker, I urge my colleagues to support H.R. 6740, and I yield back the balance of my time.

Mr. MCCAUL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, every day, we are seeing drugs coming in from Mexico, known or suspected terrorists, and dangerous opioids. We see fentanyl coming in from China into Mexico where they mix it with methamphetamines and heroin. It is really toxic, poisonous stuff. Fentanyl is so toxic that our canines die when they sniff it, yet that is being put into drugs coming across the U.S.-Mexico border into the United States to pollute and infect our children and our veterans. It is time for this to stop.

I hope that we will be able to take up, perhaps in November, our border security bill, which I think would go a long ways to getting this job done. In the meantime, this bill, I think, will go a long ways to stopping a very organized, sophisticated route of drugs, bad people, and bad things into the United States, and that is shutting down these tunnels.

Mr. Speaker, I urge support of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MCCAUL) that the House suspend the rules and pass the bill, H.R. 6740, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### PROTECTING CRITICAL INFRASTRUCTURE AGAINST DRONES AND EMERGING THREATS ACT

Mr. MCCAUL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6620) to require the Department of Homeland Security to prepare a threat assessment relating to unmanned aircraft systems, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6620

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting Critical Infrastructure Against Drones and Emerging Threats Act".

#### SEC. 2. DRONE AND EMERGING THREAT ASSESSMENT.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the

Under Secretary for Intelligence and Analysis of the Department of Homeland Security shall—

(1) in consultation with other relevant officials of the Department, request additional information from other agencies of the Federal Government, State and local government agencies, and the private sector relating to threats of unmanned aircraft systems and other emerging threats associated with such new technologies;

(2) in consultation with relevant officials of the Department and other appropriate agencies of the Federal Government, develop and disseminate a security threat assessment regarding unmanned aircraft systems and other emerging threats associated with such new technologies; and

(3) establish and utilize, in conjunction with the Chief Information Officer of the Department and other relevant entities, a secure communications and information technology infrastructure, including data-mining and other advanced analytical tools, in order to access, receive, and analyze data and information in furtherance of the responsibilities under this section, including by establishing a voluntary mechanism whereby critical infrastructure owners and operators may report information on emerging threats, such as the threat posed by unmanned aircraft systems.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Under Secretary for Intelligence and Analysis of the Department of Homeland Security shall prepare a threat assessment and report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the threat posed by unmanned aircraft systems, including information collected from critical infrastructure owners and operators and Federal, State, and local government agencies.

#### (c) DEFINITIONS.—

(1) CRITICAL INFRASTRUCTURE.—The term "critical infrastructure" has the meaning given such term in section 1016(e) of Public Law 107-56 (42 U.S.C. 5195c(e)).

(2) UNMANNED AIRCRAFT SYSTEM.—The term "unmanned aircraft system" has the meaning given such term in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note; Public Law 112-95).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MCCAUL) and the gentleman from Louisiana (Mr. RICHMOND) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. MCCAUL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include any extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MCCAUL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of this legislation that will help protect the American people from threatening drones. Drones are being used to cross America more and more every year. News outlets use drones to capture footage for a breaking story. Photographers use them to take photos

and videos at weddings, sporting events, and rock concerts. They also are used by law enforcement to help document crime scenes or assist with search and rescue operations. Those are all good things.

However, drones or other unmanned aerial systems can also pose a threat if they are controlled by terrorists or criminals. For example, ISIS used them to carry out attacks and conduct reconnaissance overseas. Here at home, criminals are using drones to smuggle drugs across our borders and surveil law enforcement. The FBI even disrupted a plot to attack the Pentagon with a drone loaded with grenades.

The threats we face from drones are constantly evolving as the technology becomes more accessible across the globe. We need to do more to confront these dangers.

This legislation requires the Under Secretary for Intelligence and Analysis at DHS to develop a drone threat assessment with information gathered from Federal, State, local, and private sector partners.

It also directs the Under Secretary to establish a secure communications infrastructure for receiving and analyzing such threat information.

Further, this bill sets up a voluntary mechanism for critical infrastructure owners and operators to report information on similar emerging threats.

Mr. Speaker, I thank Congressman RICHMOND and Congressman RATCLIFFE for their hard work on this issue. I think this bill will allow us to strengthen our intelligence gathering and stay one step ahead of our enemies.

I am pleased that the Senate and House were also able to include the Preventing Emerging Threats Act, legislation I introduced with Congressman CHABOT, in the FAA bill that will be on the floor tomorrow. This will give DHS the authority to counter drones in our airspace if they are determined to be a threat to national security.

This bill provides DHS and DOJ with the ability to act quickly and effectively when a drone poses a security risk to large-scale events, national security events, and government facilities.

Secretary Nielsen described this legislation as "a critical step in enabling the Department to address this threat."

Let's provide DHS with the tools it needs to confront these threats before they get worse.

Mr. Speaker, I urge my colleagues to support these bipartisan bills, and I reserve the balance of my time.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, September 21, 2018.

Hon. MICHAEL MCCAUL,  
Chairman, Committee on Homeland Security,  
Washington, DC.

DEAR CHAIRMAN MCCAUL: I write concerning H.R. 6620, the Protecting Critical Infrastructure Against Drones and Emerging Threats Act. This legislation includes matters that fall within the Rule X jurisdiction